

APR 12 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In re Applications of)	MM DOCKET NO. <u>93-53</u>
)	
KR PARTNERS)	File No. BPH-911001MB
)	
KES COMMUNICATIONS, INC.)	File No. BPH 911003MH
)	
LORI LYNN FORBES)	File No. BPH-911004MH
)	
For a Construction Permit for a)	
New FM Station on Channel 256C)	
at Waimea, Hawaii)	

To: Administrative Law Judge
 Joseph P. Gonzalez

MASS MEDIA BUREAU'S OPPOSITION TO
PETITION TO ENLARGE ISSUES

1. On March 25, 1993, KES Communications, Inc. ("KES") filed a "Petition to Enlarge Issues Against KR Partners." The Mass Media Bureau opposes addition of the requested issue for the following reasons.

2. KES seeks the addition of an environmental issue against KR Partners ("KR"). According to KES, on October 2, 1991, KR filed an amendment to its application in which it provided an environmental statement for a proposed radio facility located in the State of Maine. Based on that submission, KES asserts that the KR application lacks a functional environmental analysis for the proposed Waimea radio station.

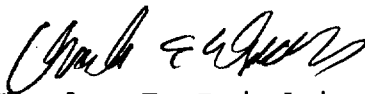
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3. KES's petition is frivolous. KR (then d/b/a Julie K. O'Connor) filed its application on October 1, 1991. Included therewith was a copy of KR's technical exhibit consisting, in part, of an environmental statement. The environmental

6. Based on the circumstances, there is not a shred of justification for adding an environmental issue against KR. Furthermore, KES should be admonished for submitting such a frivolous pleading and wasting the time of all involved. See § 1.52 of the Commission's Rules (The signature by an attorney constitutes a certificate by him that "he has read the document; that to the best of his knowledge, information, and belief, there is good ground to support it").

Respectfully submitted,
Roy J. Stewart
Chief, Mass Media Bureau



Charles E. Dziedzic
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April 12, 1993

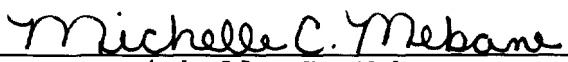
CERTIFICATE OF SERVICE

I, Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certify that I have, on this 12th day of April 1993, sent by regular United States mail, U.S. Government frank, copies of the foregoing, "Mass Media Bureau's Opposition to Petition to Enlarge Issues," to:

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